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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,705	03/23/2001	Junichi Minato	205059US2	4379
22850	7590	03/08/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			GRANT II, JEROME	
1940 DUKE STREET			ART UNIT	
ALEXANDRIA, VA 22314			PAPER NUMBER	

2626

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/814,705

Applicant(s)

MINATO, JUNICHI

Examiner

Jerome Grant II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21-33 is/are pending in the application.
- 4a) Of the above claim(s) 5-10, 13-18 and 22-33 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3, 4 and 21 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 11, 12 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/05; 12/03

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **Detailed Action**

1.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 11, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohta further in view of Kanaya.

With respect to claim 1, Ohta teaches an image processing device (gateway apparatus 20 and 20b) which transmits an image file to open or a plurality of external stations(10, 10b) through network (30,40), comprising: a destination registering unit 21c storing a destination identifier (registered fax number of the destination) of the image file, the destination identifier indicating one of the external stations (fax numbers of the destination) to which the image file is transmitted from the image processing device; a sender registering unit 21c storing an identifier 10a of the image file (data packets as discussed at the middle of par. 22) indicating a person or group who sends the image file to said one of the external stations (see last 3 lines of para. 29), see also para. 29,

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lines 6-8. The sender identifier, in addition to the aforementioned site is also supported at para. 25, the first 3 lines of page 3 of the reference. Regarding the input from the operator, the operator is the person at fax 10a or 10b. Ohta teaches transmitting unit 21 for transmitting the image file together with the stored sender identifier (inherent in that sender ID is sent in phase B portion of the fax protocol and the image is sent in phase C..

What is not specifically discussed by Ohta is the sender list for storing a plurality of sender identifiers and reading the identifier from the stored list.

Kanaya teaches a plurality of stored sender identifiers stored in an address conversion table 4. The system controller 2 reads the sender identifiers out from table 4 in accordance with the identifiers which are input by an operator.

Since, Ohta and Kanaya are both directed toward image processing devices with means for interacting over a network, the purpose of using sender identification from a sender list would have been contemplated by Ohta as set forth by Kanaya.

It would have been obvious to modify the sender register unit 21 in the manner set forth by Kanaya for the purpose of listing and reading sender identifier information from the memory 4 and for identifying the sender in a communication attempt across a network.

With respect to claim 2, Ohta teaches an imaging device (gateway apparatus 20a, 20b) which transmits an image file to one of a plurality of external stations through a network 30, 40 comprising: a destination identifier (registered fax number of the destination ) of the image file, the destination identifier indicating one of the external stations (fax numbers of the destination ) to which the image file is transmitted from the image processing device; and image subject registering unit 21c storing a subject identifier of the image file, the subject identifier indicating one of a plurality of image subject indications (para. 29, lines 6-8) to indicate names of images in the image file being transmitted (number of fax machines as destination means) and transmitting unit 21 (see figure 2) transmitting the image file, together with the stored sender identifier (inherent in that sender ID is sent in phase B portion of the fax protocol and the image is sent in phase C).

What Ohta does not provide a clear teaching on is the storing of the subject identifier of a image file and reading the subject identifier from the list of subject identifies stored in the image registering unit.

Regarding the first point, at col. 8, line 1, Kanaya teaches a subject identifier (pix) that is indicative of the image over the network and that it is stored in memory 4.

Since, Ohta and Kanaya are both directed toward fax devices and while Ohta teaches storing a plurality of telephone numbers in a memory, it would have been obvious to replace memory 21 or modify it so that it not only stores a fax number but indicia that describes or attributes the subject data that is being sent over the network, as taught by Kanaya.

Regarding the second point, Ohta does not provide an image processing device for reading the subject identifier. However, Kanaya teaches a system controller 2 which is used to read the subject identifiers (see the contents of the address conversion table 4).

Since, Ohta and Kanaya are both directed toward image processing devices, the purpose of reading relevant subject identifiers would have been recognized by Ohta as set forth by Kanaya.

It would have been obvious to modify or replace the registering unit 21 and/or other memory means with memory table 4 of Kanaya for the purpose of storing subject identifiers input by an operator but used to identify information which is to be transmitted over a network as provided by the teaching of Kanaya.

With respect to claim 11, Ohta teaches an image processing device 20a, 20b which comprising: an image memory 21c storing a plurality of image data read from documents scanned by scanner unit that is inherently in a fax machine; an image data selecting unit (packet converter 25) selecting one of a plurality of document identifiers (see para. 27, lines 9-14), see also para. 21, lines 5-11 of an image file (document list) which is transmitted to one of the external stations through the network 30, 40, see para. 23 and 25, in accordance with key-in information that is input by an operator; and destination identifier (packet analyzer 26 in combination with information for generator 24 for selecting a fax machine as a destination machine based upon identification data sent from devices 30, 40 – selecting identifiers in accordance with information keyed in by an operator/ user of a computer, according to para. 33.

With respect to claim 12, Ohta teaches a plurality of files stored in 21c derived from scanning units, which are inherent by fax machines 10 and 10b) into a single image file before the file transmission, so that the transmission unit transmits the combined image file to the external station via packet converter 25.

With respect to claim 19, Ohta teaches an image processing device (gateway apparatus 20a and 20b) which transmits an image file to one or a plurality of external

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stations (10, 10b) through network (30,40) comprising: a destination registering unit 21c storing a destination identifier (registered fax number of destination registering unit 21c storing a destination identifier indicating one of the external stations (fax numbers of the destination) to which the image file is transmitted from the image processing device; a personal information registering unit 21c storing a plurality of personnel information items (registration of fax numbers) related to a number of personnel of a sender group, the personnel information items being correlated to respective personnel identifiers; a transmission unit 21 transmitting the image file (generated from scanners of fax machines 10a and 10b) relevant personnel information item; transmitting the image file, together with the stored sender identifier (inherent in that sender ID is sent in phase B portion of the fax protocol and the image is sent in phase C).

What is not taught by Ohta is the image processing device configured to read relevant personnel information input by the operator.

Kanaya teaches a plurality of stored personnel identifier information stored in an address conversion table 4. The system controller 2 reads the personnel information out from table 4 in accordance with the identifiers which are input by an operator.

Since, Ohta and Kanaya are both directed toward image processing devices with means for interacting over a network, the purpose of using sender identification from a sender list would have been contemplated by Ohta as set forth by Kanaya.



It would have been obvious to modify the sender register unit 21 in the manner set forth by Kanaya for the purpose of listing and reading sender identifier information from the memory 4 and for identifying the sender in a communication attempt across a network.

2.

#### **Allowed Claims**

**Claims 3 and 4 are allowed for the reason the prior art does not teach or suggest the scan condition list or the scan condition identifier as claimed.**

**Claim 21 is allowed as set forth in the communication mailed 10-25-2005.**

**3. Examiner's Remarks**

Applicant's remarks have been considered and are persuasive to allow some claims however, others are rejected on different grounds in view of the new grounds of rejection.

**4.**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.- Thurs from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams, can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant II  
JEROME GRANT II  
2009-08-10